

## REMARKS

Claims 1-16, 29 and 30 are pending.

Claims 1-4, 14-16, 29 and 30 are allowed.

Claims 5-13 are objected to.

Claims 5-13 are cancelled in favor of new claims 31-41.

New claims 31-41 are added. New claim 31 is rewritten in independent form.

No new matter is added.

Applicant requests reconsideration and allowance of the claims in light of the above amendments and following remarks.

### Claim objections

Claims 5, 6 and 7-13 are objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. In particular, the Examiner has stated that applicant is required to cancel the claims or amend the claims to place the claims in proper dependent form, or rewrite the claims in independent form. The Examiner has further stated the claims appear to recite reactive sputtering and as such do not further limit claim 1 which requires non-chemical sputtering to form the layers.

Claims 5-13 are hereby cancelled as suggested by the Examiner. Also, new claim 31 is added to recite limitations similar to allowed claim 1 except that the omissions of the term "non-chemical." One skilled in the art will appreciate that the phrase physical vapor deposition (PVD) is different from plasma enhanced chemical vapor deposition (PECVD) as disclosed in Miyasaka, paragraph 241 in connection with the section 103 rejections. Therefore, at least for the reasons discussed in the response to office action dated March 22, 2004 submitted by the applicant, new claim 31 is patentable. Also, claims 32-41 are patentable for their dependency and their own merits.

For the foregoing reasons, reconsideration and allowance of claims 1-4, 14-16, 29-41 of the application as amended is solicited. The Examiner is encouraged to telephone the undersigned at (503) 222-3613 if it appears that an interview would be helpful in advancing the case.

Respectfully submitted,

MARGER JOHNSON & McCOLLOM, P.C.

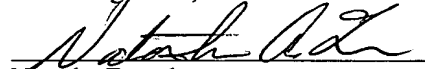


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Limited Recognition Under 37 CFR § 10.9(b)

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